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PCT/KR2003/002361

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 29 MAR 2005

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Applicant's or agent's file reference 1239-PCT13		FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/KR2003/002361	International filing date (day/month/year) 05 NOVEMBER 2003 (05.11.2003)	Priority date (day/month/year) 13 NOVEMBER 2002 (13.11.2002)	
International Patent Classification (IPC) or national classification and IPC IPC7 B65D 33/17			
Applicant SEHYANG INDUSTRIAL CO., LTD. et al			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 08 MARCH 2004 (08.03.2004)	Date of completion of this report 28 FEBRUARY 2005 (28.02.2005)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer HAN, Deok Won Telephone No. 82-42-481-5471 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement) under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the drawings:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☒ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 12	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 12	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents, which are all cited in the international search report:

D1: JP 61-62840 U

D2: JP 03-216127 A

D1 discloses a packing bag which consists of a bag, a rod, and a tube with a slit. D2 discloses a bag for transporting living fish, which includes a bag, a circular rod, and an elastic pipe with a slit.

(1) Novelty

Claims 1 and 2 relate to a method for sealing a pack, which comprises the steps of: bonding a rod member to a pack; wrapping the pack around the rod member; and fitting a slit tubular member around the rod member wrapped by the pack. Claim 3 relates to a method for sealing a pack, which utilizes a zipper pack with male/female zipper members and a slit tubular member around the zipper wrapped by the pack. Claims 4 to 12 relate to a pack sealing device including a rod member, a tubular member, an inclined guide formed at one end of the rod member and the tubular member, and a bent portion formed at one end of the rod member.

Document D1 is considered to represent the closest prior art, and comparisons are made between the present claims and said document. Claims 1 to 3 differ from D1 in that D1 does not show any technical features such as "bonding a rod member to a pack" or "utilizing a zipper pack and a slit tubular member." Also, there are differences between the document D1 and claims 4 to 12 in that said claims additionally have the inclined guide formed at one end of the rod member and the tubular member, and the bent portion formed at one end of the rod member.

Therefore, claims 1 to 12 meet the requirement of PCT Article 33(2).

(Continued in Supplemental Box.)

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of:

Box V.

(2) Inventive Step

As mentioned above, claims 1 to 12 differ from the document D1. In addition, said differences lead the present invention to have unexpected good effects as follows:

First, bonding a rod member to a pack, as set forth in claim 1, decreases the risk of losing the rod. Second, utilizing zipper members instead of a rod member, as set forth in claim 2, enables a user to make use of a traditional zipper bag. Finally, due to the aforementioned technical differences between claims 4 to 12 and the document D1, it is possible to fit the tubular member around the rod member tightly.

Therefore, claims 1 to 12 meet the requirement of PCT Article 33(3).

(3) Industrial Applicability

The present invention can be used for packing a variety of liquids, gaseous, and solid materials in a sealed state. Therefore, claims 1 to 12 meet the requirement of PCT Article 33(4).